

Danner, Ward

From: Carmen Santos <Santos.Carmen@epamail.epa.gov>
Sent: Wednesday, March 27, 2013 12:44 PM
To: Santos, Carmen
Subject: Fw: PCBs: Aspire Site in Oakland (1009 66th Avenue)

Carmen D. Santos
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"Think left and think right and think low and think high. Oh, the things you can think up if only you try!" Dr. Seuss

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Before printing this e-mail think if it is necessary. Think Green!

----- Forwarded by Carmen Santos/R9/USEPA/US on 03/27/2013 12:43 PM -----

From: Carmen Santos/R9/USEPA/US
To: Ron.Goloubow@arcadis-us.com,
Cc: Christopher Rollins/R9/USEPA/US@EPA
Date: 02/22/2010 12:27 PM
Subject: PCBs: Aspire Site in Oakland (1009 66th Avenue)

Greetings, Ron:

This message is concerning the application dated January 14, 2010.

I want to provide a clarification on the issue of disposal of PCB remediation waste, since we have cited the regulations for disposal in several previous occasions. This message also request specific information concerning off-site disposal of PCB remediation waste.

In reviewing the application, it seems that LFR-ARCADIS / Aspire believe that soils contaminated with PCBs at concentrations greater than 1 mg/kg and lower than 50 mg/kg are not regulated under TSCA. The Aspire application states that: *"In addition, soil will be transported for off-site disposal as a non-TSCA waste (PCB concentrations greater than 1 mg/kg but less than 50 mg/kg)."*

Contaminated soils are bulk PCB remediation wastes and regulated for disposal under TSCA regardless the TSCA cleanup is being conducted under the self- implementing (40 CFR 761.61(a)) or risk-based disposal approval (40 CFR 761.61(c)) sections of the TSCA regulations. See 40 CFR 761.61(a)(5)(i)(B), (B)(1), (B)(2)(ii) and 40 CFR 761.61(a)(5)(v)(a) concerning off-site disposal of bulk PCB remediation waste with a PCB concentration below 50 mg/kg.

Within 30 days after the date of this message please submit copies of the documents related to the transportation and off-site disposal of bulk PCB remediation wastes (containing PCBs at less than 50 mg/kg) demonstrating such waste was properly identified as TSCA regulated and disposed off-site in accordance with the regulations cited above. In addition, the in-situ soil PCB concentration should have been used to determine the PCB concentration for off-site disposal and not the PCB concentration of soils after excavation and staged in a pile.

If you have any questions concerning this message, please call me at 415.972.3360.

I thank you for your courtesies.

Sincerely,

Carmen D. Santos, Project Manager
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